REMARKS/ARGUMENTS

This Reply is being filed in response to the Office Action dated September 27, 2011. Reconsideration and allowance of the application in view of the remarks to follow are respectfully requested.

Claims 1-2 and 5-14 are pending in the Application. Claims 1, 5 and 11 are independent claims.

In the Office Action, claims 1, 2, 5-9 and 11-14 are rejected under 35 U.S.C. §102(b) over U.S. Patent Publication No. 20020013615 to Haim et al. ("Haim"). Claim 10 is rejected under 35 U.S.C. §103(a) over Haim in view of U.S. Patent Publication No. 2005/0220882 to Pritchard et al. ("Pritchard"). These rejections are respectfully traversed. It is respectfully submitted that the claims are allowable for at least the following reasons.

At page 3 of the Office Action, the dispenser 54 of Haim is cited for showing the claimed "pump configured to controllably supply filling material to the catheter" and the contact or pressure sensor 36 is cited for showing the "monitor connected to the active locator and the pump". However, a close inspection of Haim fails to unearth any connection between the dispenser 54 and the pressure sensor 36. The monitor recitation of the claims must be connected to the pump so as "to stop the supply of the filling material in response to the detected emergence", (i.e., emergence of the tip of the catheter from the aneurysm during the injection of the filling material into the aneurysm), as recited in claim 1 for example.

In paragraph [0029] Haim discusses controlling the drug delivery from the dispenser, as follows (emphasis added):

> ... the drug delivery device or the dispenser comprises an occlusion detector, for example, a pressure sensor, ultrasonic transducer or flow-meter, as are known in the art, which senses the occurrence of any occlusion of the needle or flow obstruction along the duct. Such occlusion detection prevents pressure buildup, which may cause ruptures along the flow path of the drug, and assures reliable administration of the drug at the designated locations.

Further, the dispenser of Haim is described as comprising a metering pump or a medical syringe, a discrete feeder, and an osmotic pump (paragraphs [0038]-[0040]). In paragraph [0109] the dispenser 54 is described as: "coupled via duct 46 to dispense the drug in predetermined doses through needle 24".

In paragraph [0105] Haim discloses a contact or pressure sensor 36 that the Examiner uses to reject the claimed "monitor connected to the active locator and the pump". Haim does not teach, disclose, or suggest that the sensor 36 or any other device "is configured to monitor the spatial position and/or orientation of the catheter based on the provided coordinates from the locator to detect emergence of the tip of the catheter from the aneurysm during the injection of the filling material into the aneurysm", as for example recited in claim 1. Even without examination of Haim's text, it will be understood by these skilled in the art that a contact or pressure sensor cannot "detect emergence of the tip of the catheter" because emergence or exit does not create touching, other contact, or pressure.

Paragraphs [0105]-[0113] of Haim referenced by the Examiner as teaching the "monitor" element of the claims, do not teach, disclose or suggest stopping the supply of the filling material when "emergence of the tip of the catheter from the aneurysm" is detected as recited in the claims. It is noted that non-contact is not the same as detection

of "emergence of the tip of the catheter from the aneurysm".

It is respectfully submitted that the claims are not anticipated or made obvious by the teachings of the presented prior art references. For example, Haim does not teach, disclose or suggest, amongst other patentable elements, (illustrative emphasis added) "a monitor connected to the active locator and the pump, wherein the monitor is configured to monitor the spatial position and/or orientation of the catheter based on the provided coordinates from the locator to detect emergence of the tip of the catheter from the aneurysm during the injection of the filling material into the aneurysm, and configured to stop the supply of the filling material in response to the detected emergence" as recited in claim 1, and as similarly recited in each of claims 5 and 11.

Pritchard is cited in rejecting the dependent claim and, as such, does not remedy the deficiencies of Haim.

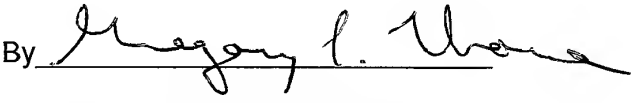
Based on the foregoing, the Applicants respectfully submit that the independent claims are patentable and notice to this effect is earnestly solicited. The dependent claims respectively depend from one of the independent claims and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support

of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398
Attorney for Applicant(s)
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THORNE & HALAJIAN, LLP
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101